

DENISE EATON-MAY, ESQ. (SBN 116780)
LAW OFFICES OF DENISE EATON-MAY, PC
1290 B Street, Suite 316
Hayward CA 94541
Tel.: 510.888.1345
Fax: 510.315.3015
Email: denise.may@eaton-maylaw.com

Attorney for Plaintiff ADRIAN ROMERO, JR.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

ADRIAN ROMERO, JR.,
Plaintiff,

vs.

CALIFORNIA HIGHWAY PATROL,
Defendant.

CASE NO.: 2:21-cv-01978-JAM-DB

**STIPULATION TO EXTEND
TRIAL AND PRE-TRIAL DATES AND
ORDER; DECLARATION OF PLAINTIFF
ADRIAN ROMERO**

**Pursuant to Fed. R. Civ. P. 16(b)(4) and L.R.
16-14**

The parties, Plaintiff ADRIAN ROMERO, JR. ('Plaintiff') and Defendant CALIFORNIA HIGHWAY PATROL ("Defendant"), through their respective attorneys of record, hereby move the Court to reschedule certain dates set by this Court.

WHEREAS, Plaintiff filed his Third Amended Complaint on January 18, 2022 after substantial meet and confer with Defendant.

WHEREAS, the Court issued a Pre-Trial Scheduling Order on January 5, 2022, setting the Final Pretrial Conference to August 11, 2023 and Trial to September 25, 2023.

WHEREAS, the parties via stipulation sought an Order from this Court extending the Trial and Pre-Trial Dates due to Plaintiffs counsel's personal issues.

1 WHEREAS, this court granted said request and the Pre-trial and Trial dates were extended by
2 this court to April 2024.

3 WHEREAS, the parties immediately commenced discovery, including the taking of Plaintiff's
4 deposition. One half day of Plaintiff's deposition was completed. In the months of May 2023 and June
5 2023 Plaintiff has been hospitalized due to a heart condition which has precluded and impacted his
6 ability to sit for his deposition. Plaintiff has been taken off work by his doctor and has been informed
7 by his treating physician that it will be approximately (4) four months before he can return to engaging
8 in normal activities, including working. (See attached Declaration of Plaintiff Adrian Romero.

9 WHEREAS, the parties have exchanged a first round of written discovery, plaintiff's
10 deposition has yet to be completed due to his illness. As a result, the parties will not be able to meet
11 the current deadlines and properly prepare for current trial date.

12 WHEREAS, Plaintiff's counsel has met and conferred with Defendant's counsel regarding
13 Plaintiff's illness and unavailability for further deposition for approximately three-four months.

14 Now, therefore, IT IS HEREBY STIPULATED by and between all the parties to this action
15 as follows:

- 16
- 17 1. That the Final Pretrial Conference currently set for March 2024 be continued to July 2024.
 - 18 2. That the Trial set in this action currently set for April 2024 be continued to August 2024.
 - 19 3. That all other deadlines set by the Court in its Pre-Trial Scheduling Order of January 5,
20 2022 be moved to a later corresponding date. The parties suggest the following continued deadlines:

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22 Last Day to Disclose Experts	-	January 2024
23 Last Day Discovery	-	March 2024
24 Last Day to file Dispositive Motion	-	May 2024
25 Hearing on Dispositive Motion	-	June 2024

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27
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IT IS SO STIPULATED:

Dated: July 21, 2023

LAW OFFICES OF DENISE EATON-MAY, PC

By: /s/ Denise Eaton-May

DENISE EATON-MAY

Attorneys for Plaintiff

ADRIAN ROMERO, JR.

Dated: July 21, 2023

Rob Bonta

Attorney General Of California

Celine M. Cooper

Supervising Deputy Attorney General

By: /s/ Vanessa W. Mott

VANESSA W. MOTT

Deputy Attorney General

Attorneys for Defendant

CALIFORNIA HIGHWAY PATROL

ORDER MODIFYING PRETRIAL SCHEDULING ORDER

Based on the stipulation of the parties and good cause appearing, the Pretrial Scheduling Order, is **MODIFIED** as follows:

Expert witness disclosures	January 05, 2024
Supplemental disclosure	January 19, 2024
Discovery cutoff	March 01, 2024
Dispositive motion filing date	May 03, 2024
Dispositive motion hearing date	June 25, 2024, at 1:30 p.m.¹
Joint mid-litigation statement filing date	Fourteen (14) days prior to the close of Discovery
Final pretrial conference	August 23, 2024, at 10:00 a.m.
Trial	October 07, 2024, at 9:00 a.m.

Counsel **SHALL** contact Judge Mendez' Courtroom Deputy, M York, via e-mail at myork@caed.uscourts.gov, prior to filing a stipulation and proposed order to continue the dates set forth in this order.

IT IS SO ORDERED.

Dated: July 24, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE

¹ Calendars are subject to last minute changes. Contact the Courtroom Deputy for available dates.